

Concerning the

EXECUTION

OF THE

L A W S.

Made against

Prophanenets, &c

Which contains some Account of,

The *Reasons* and *Tendency* of these *L A W S*; The *Occasions*, which, till of late, *obstructed* their Execution; The *Manner* in which, *Now*, they may be legally and easily made *effectual*; The *Obligations* in *Duty*, *Honour*, and *Interest*, of all *Ranks*, in their *Respective Stations*, to promote this *necessary Work*; the *Sin* and *Misery*, both as to *Private* and *Publick*, which will be the *Consequences* of a *Neglect* thereof; And the *Special* and *Temporal Happiness*, that will ensue on *forming* them to, without *further Delay* in the same.

In Testimony whereof

Rom. 13. 4. — Be afraid: for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath on him that doeth evil.
Ezek. 33. 26. Who is on the Lord's side, let him come near me.
Tit. 2. 12. That we might live soberly, justly, and godly in this present world.

The P R E F A C E,

ITS a main Design, and the Natural Tendency, of Religion, to procure the Private and Publick Happiness of Mankind; and restrain them from whatsoever would make them Miserable in themselves, and Troublesome to the World.

Hence the open Violations thereof, as they are the Follies and Deformities of Humane Nature in the Vicious themselves: So the Malignant blasts of their Example do nip the Buds of Piety, Honesty and Sobriety in others: Which going on, without Restraint by the means that are competent to private Persons in the Body of the People, and to Judges who have the Executive Authority of the Law; these by such Omission not only become Partakers in the Sins of those; But also the Guilt becomes National, Imputable to the Community as such: And consequently Divine Justice is concerned (GOD being the Great Governour of the Earth) to Vindicate this Combination against Heaven; by Ruine,

That it is thus, Especially when the Tolerance is so Supine, that many dare reckon it Breeding to Swear, Gallantry to be Lewd, Good humour to be Drunk, Abjection to be Serious, Witt to despise Sacred things, or Fanaticism, to observe the Sabbath &c. Can be made plain. For, in the Nature of the thing, he who forbids not, as he may and ought, is a Constructive Doer: In the Law, if a Soul Sin and hear the voice of Swearing and is a Witness, whether he hath seen or known of it, if he do not utter it, then he shall bear his iniquity. * Thou shalt not hate thy Brother in thy Heart, thou shalt in any ways Rebuke thy Neighbour: That thou bear not Sin for him * And the Hands of the Witnesses were to be first, and then the Hands of the rest of the People, on the Malefactor: That they might put evil away from among them. * In the Gospel, he who layes up his Talent in a Napkin, is an Unfaithful Servant; when the Royal Command of Charity and Love obliges

* Deut. 13. 9.
* Lev. 5. 1.

* Lev. 19. 17.
As the last words are of the margin of our Bibles.

* Deut. 7. 1.
and 21. 1.
20. 21.

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to this Employment of it: And in Experience, the Histories of all Ages and Nations import, that Guilt hath been thus imputed both to private Men and Societies, Deficient in their duty.

To Prevent this, we have Laws and Proclamations against Immoralities, more full and better Calculate, than most other Nations: But these, no more than the best Medicines, Operate nothing, because they want Application.

The King, Parliament, and Council, having thus put it in the Subjects power to be Happy, and Safe by an orderly Execution of these Laws against the Prophane, who make a continual Theomacy that contributes more to the Publick Calamities, than the most refined Traitors or open Enemies could do: Therefore Our Destruction is of our selves, if all Ranks, in their respective Stations, do not speedily set about doing their outmost that they Lawfully can, for their Religion and Country, in freeing us from these Regicides and Murderers who lurk in our bosome, without either sense of Guilt, or Punishment.

It seems that three things, which are Legal and Easy, could not, having GOD's Blessing, miss of Success herein. Namely, 1mo. That there be a Judge in each Parish for Executing the Laws made against Vice. 2do. That there be Informers appointed within the same Parishes for bringing before him, delations of Delinquents. without Excluding discoveries made by his own observation, or others. 3tio. That for promoting so Noble a work, especially as to both these, there be such Societies as those, (which have had so Glorious Success against the Subjects of Satan, and thereby Enemies of the Nation, yea of all Mankind) in England and Ireland.

The clearing hereof, proposing particular Schemes therein, perswading thereunto, and obviating or Answering Difficulties against the same; is the Design of the subsequent Discourse.

A Discourse, Concerning the *Execution* of the **Laws,**

Made against *PROPHANENESS*, &c.

THERE are *two* wayes in which a man may promote the *Amendment* of the *Morals* of others: namely, in prevailing on their *Minds* by *Persuasion*; and, this failing, in restraining the *outward Acts* of Debauchery, by *Jurisdiction*.

Persuasion is the effect either of *Counsel* or *Example*.

How *Persuasion* may contribute to the restraint of immorality

How far well managed *Counsel* may prevail on the vicious, who have any competent use of *reason*; is obvious: and *Example* hath secret assimilating *Charms* by the loveliness of *Vertue* when thus become *visible*, which, thereby, beating on the *Senses*, makes deeper impressions than meer *mental* reflections thereon *commonly* do.

In general.

All Men are bound to *GOD*, Themselves, Fellow-Subjects, and the Publick; in performance of this duty towards *others*: But there are *some* under *stricter* obligations thereunto, in respect of the *special* advantages which they have of being more *influential*. For this *Capacity* is a *greater Talent* that hath implied in it the acceptance of a *Commission* to lay it out with the outmost diligence which opportunity can allow.

Thus a *Courtier* might employ that desire to please
him

And when
etc. by
those, who
have special
advantages
of prevail-
ing.

him in all things which he finds in his officious sup-
pliants: A *Judge*, especially the more soveraign,
might use, to this effect, that *profound regard* which
is born to that Character, in this Kingdom: an *Ad-
vocat* might ply, in this manner, that susceptibili-
ty which his Clients confidence affords him in mat-
ters more difficult: an *Heretor* might improve, to
this purpose, that anxiety tennents, *here*, have, of
being *chief Favorites* with their Master: other *Re-
lations* might manadge, for this end, that *weight*
which Affection or Familiarity gives to their propo-
sals &c. Yea Men of *Breeding* and *Parts*, could not
better cultivate their discretion and good Sense,
then to turn the same to this glorious design, when
ever occasion offers, even in *common* conversation.

How Juris-
diction may
conduce to
to this end.

But where Persuasion *ceases* or *wants force* (as it
falls out in the *most part* of Subjects) *Jurisdiction* may
and ought to supply the deficiency.

Judgement may come on these Transgressors, ei-
ther by the *Judges Ordinary*, or those appointed for
this particular effect.

In general

All Judges in this Nation have power in their
Respective Spheres, to punish Immoralities, either
directly, amongst other delicts, as the Commissioners of
Justiciary, Sheriffs, Stewarts, Baillies of
Bailliaries and of Regalities, Commissars, Magi-
strates of Burghs, Justices of Peace &c. or *indi-
rectly*, when the matter comes incidently before
others who are not competent, except in the second
instance, or where the chastising of such abuses is
explicatory of their native Jurisdiction.

Yea *Barons*, who are found to have right of de-
ciding in the *Penal Statutes*, might put their power
of *purgeing* their ground of these Evil-doers, beyond
doubt; by making *Acts*, of Court, and Executing
their own *Acts* against the lesser Delinquences, in
the terms of the Acts of Parliament; which would

not exclude Superior Judges to execute the Acts of Parliament in case of Collusion.

But the most excellent method that was ever fallen on for effectual Execution of the Laws against Vice, is prescribed by the 31 Act. Parl. 1696. which ordains, *that in every Parish, where the Judges Ordinari reside, they by themselves or their Deputes to be by them nominate for the said Parish, execute the Laws against Prophaneness: and in such parishes where none of them do reside, that they appoint those Deputes which shall be named to them by the Heretors and Kirk-Session thereof: That pursute is to be sustained before these at the instance of any person whatsoever, and the Fines to be instantly payed, or the party imprisoned till sufficient Caution be found for payment; or he exemplarily punished in his person, in case of inability. With Certifications, against the Magistrates who neglect, or refuse to grant Deputations: and provision that no Advocacion pass of these Processes; And a third part more than is decerned for Expences be allowed against the Calumnious Suspender. Declaring that no pretence of different persuasion shall exeem the Delinquent from being fined: And that nothing in this Act shall hinder all ordinar Magistrates and Judges to exerce their Jurisdiction in the premisses as accords. With recommendation to the Privy Council to take such farther effectual course as shall be found requisite for restraining and punishing all sorts of Wickedness, and for encourageing and rewarding such as shall be employed in the Execution of the saids Laws, either out of the Fines or otherwayes. And it does strictly require and command, all persons to whom it doth, or may, belong, to perform their duty in the premisses punctually, as they will be answerable.*

And it may be exercis-
ed by parti-
cular Judges
within each
parish whom
the Law au-
thorises to
be consti-
tute for that
effect.

The Advan-
tages to Ex-
ecution aris-
ing from
this Law,
which ap-
pear by the
disadvan-
tages of all
that pre-
ceded.

Both as to
the Judges
of Immo-
salities.

* How our
hath power
within his
own parish:
See below.

By this *wise* Law most of the *Obstructions* which, formerly, choaked the Execution of all Statutes that *could be* made against Immoralities, are removed; both in Country and City: The reflection whereon will clear, how easily the penalties of Vice may be Execute *now*.

For, as to the *Judges*. The Law required *three* Justices of Peace to make a Quorum, which is obtainable too seldom, in the Country, by reason of *distance, leasiness*, or private *diversions* interfering with the joint Dyets. * And, even in Cities, these Courts are so *thronged* with other Pettie Business; and those who hold them being the *Magistrates* of the place, are so diverted, by other publick Affairs of the Community; from allowing sufficiency of *time and pains* for this; That, in Fact, Vice has received little *Check* by that institution: Whereas *one* Judge, to this *particular* effect, in *every parish*, is at *hand*, and hath no pretence of *Distractions*.

The Sheriffs and the rest of the Judges Ordinar live at a *distance* from Parishes, where they do not reside; so that they could neither enquire sufficiently into Debauched *Persons*, or their *Haunts*: Besides that their Courts are likewayes taken up by *Multiplicity* of other Actions. Neither would Country-men *leave* their Labouring and proper business to go to the *Head-Burgh*, with delations; and others who might spare the *Time*, and *Expence*, had not the *Zeal*, or would not undergoe the *Fatigue* and *Obloquy*. Yea the irregular aversion to *singularities* with the *diversions* aboveexpressed, did, and still will, obstruct many of the Judges Ordinaries Execution even within their own *Parishes*; unless they appoint *Deputes* who may have freedom therefrom. And in several lesser *Cities* this is yet more necessary than in the Countrey, because many of their *Magistrates* are deterred from *disobligeing* their *Electors*, or *Customers*

Customers, or those who may become such: Whereas such Deputs may be chalked out as will not be obnoxious to these Temptations.

Neither did it remead those difficulties, that *many* may be brought to the Courts *at once*, as is practised in the Penal Statutes the breakers whereof do not fail to be Animadverted on. For, as, when the Prophane are not *recently* Chastised, its not such a terror to evil doers; Yea *most* abuses (they being so very Numerous in all parts of the Nation, and Delitions unpracticed for the Reasons above and after *represented*) were *forgot*: whereas its easy to be exact in discoveries of *those few* who infringe the Penal Statutes: So, the Judge gets the Penalties of the Penal Statutes, and he hath Inferior Officers whom he *rewards* for Informing against the Contraveeners; which is the *Oyle* that has made the wheels go as to these; whereas for the most part the fines of Immoralities go to the *Poor*, who are a *Headless body*, whose interest few Judges do notice; whence not being *Decerned*, it is seldom upliftable by the *Poors Collectors*. But a Judge within each Parish, will now be a Salve to all this uneasiness or neglect.

As to *Subservient* Ministers of the Execution, when the *Fiscal* only could pursue he was *not capable* to know; or being Informed, was lazy, or Bribed by his *own Irreligion* or the Delinquents *Money*; to desist from the Prosecution: Seeing he was not *keept up* in it by the accrewing of any thing of the mulets to himself. Whereas, now, it is *Actio popularis*. (as indeed it will appear the concern of *every one*; both in Private and Publick respect) to bring to Punishment those Delinquents.

There were, before, few or no *Informers*: Because tho this good Office was always incumbent, yet it was not *directly* approven and injoynd by the Law to *every Subject*: Being, in a manner, made the

And as to Informers and others subservient, in bringing the fine to be punished.

province of Constables &c. So that tho some might be moved by a Zeal that out-weighed the singularity, Trouble, and Expence thereof, yet such being few the majority of Delinquents could not but escape Punishment, as not being observed, by Informers who are the Fountain at which Execution has stopped. But by this Law, as pursuit is to be Sustained at the Instance of any Person whatsoever, so it requires and Commands them to perform their duties punctually therein: * and in respect, so universal a flame requires many Hands to extinguish it, to severals of whom the hopes of reward, at the least the Reparation of the loss of Affairs, and Expences, may be necessary; It remits to the Council the Determination of their share of the Fines.

* See below: some former Acts; which approve, reimburse, and reward, Informers, in particular cases.

And the efficacy of Sentences pronounced therein.

The Advocacion, and easy Suspensions of Inferiour proceedings are great causes that such of the Leidges who have means, stand not in awe of what Pedaneous Judges can do, tho never so Just: which the Act has likewise prevented by the most effectual caution that Prudence could allow.

But even this Act it self needs Execution; which tho it has taken place in many Parishes, yet severals do not so much as know of it, and others want only to begin.

General proposals, for reducing this Act into common practice throughout the Nation.

For serving of these, both in Country and City (which last needs only some Variation from what is requisite to the first) the following General Ordinances are proposed, as a subject for their own further improvement.

As to the COUNTRY.

Concerning the first step therunto, Namely the meeting of the Justices and Kirk-Session.

1^{mo}. In order to meeting, for Nomination of a Deput to the Judge Ordinar. Since the first motion being made, some are minded of their Duty, others will not decline for shame; and these may proceed, tho a third sort should not compear; Therefore the

Kirk-

Kirk-Session (wherein readily there will be *Heretors*) may and ought to *propose*, and the *Minister* intimate a particular Diet for the other *Heretors* convening with them to that end. *

2do. At the Diet thus concerted; such a Person or Persons as any *Two* (that being the General Rule in Societies) or more of the *Heretors*, or the Kirk-Session, on due deliberation as in the presence of GOD; shall desire to be leetted: their Names may be set down by the Session Clerk (who is a *Common Servant*; acquiesced in by the Parish) and thereafter the Name of the Person on whom the Votes of the Majority present, collected by the said Clerk, fall, is to be presented by the same Clerk as *Deputed* by the *Heretors* and Session, and a Commission required to him from the Ordinar Judge of the bounds.

*On eight days warning: conform to Act 22. Parl. 1672.

The proceedings when met.

3tio. The Judge being thus Constituted: He is to hold a *Court* once a week at least. And for his getting more *orderly delations*, and the more *easy* Citation of those Informed against: He is to appoint at the least *Four Informers* one in each quarter of the Parish; and as many *Officers* who may be at hand to attend their Delations: Whereby there will be little *Trouble* or *Diversion* to either from their proper Affairs.

What is chiefly to be done by the Judge when Constituted.

4to. These Informers are to give before each Court Day, a list of the *Delinquents* of the preceeding week to the adjacent *Officer*: And this Officer is to *Cite* those delated to the next ensuing Court. Which being brought thither, if there can be *Witnesses* had (to be Cited) for Probation, it is most Eligible as tending most to the Transgressors *shame*: But, otherways, the Act of Parliament anent Justices of Peace makes such delicts probable by *Oath*: And if the Defender do *not compare* he may either be held as confess, or Fined for Contumacy

And by Informers & Officers appointed by him.

macy, * conform to that Act and the common course. But if he compear, the Collection of the Laws against Prophanity Published by the Council, does shew the respective Penalties which may be inflicted: And which, accordingly, are to be put to exact Execution.

As to the CITY.

That there
be Deputs e-
ven in Citys
So where the
Judge Ordi-
nary resides.

1mo. That, *there*, and wherever the Judge Ordinar resides, there be a Deput. For as the Act implys a recommendation that Deputs were to be by them Nominate; so such will be more capable to make discoveries, and at leisure to encourage and inspect Informers, and Officers; then the Magistrates themselves, who have so many other avocations.

2do. Besides other Informers and Officers, here, the Constables and Town-Officers will be of excellent use for Informing against and Citeing or Arreisting Delinquents, as their several Offices oblige them thereunto. *

* See below.

The Hydra hath many Heads here, and therefore requires the more Hands to cut them off.

The special
aids that are
here be-
yond the
Country.

3tio. The Citys have many other advantages beyond the Country. Particularly that in few of these, can there be missed some Men of weight who will accept to be Judges, and some Men of probity who will become Informers. The nearness of the Inhabitants to one another and to the Judge, will render the Work of small trouble or diversion. There are several Cases * which by the Act anent the Justices Peace, former Acts of Parl. and Customs of Burgh, may be Cognosced *De plano*, in *flagranti delicto*, by the next Magistrate at hand, who by the Act 1696. still retains Cumulative Jurisdiction as before &c. And finally, it's hoped that the excellent Pattern which will be set by *Edinburgh*, will be so well digested that, as this will Ease new Pains, so it's reason-
able-

* See below:
where Sum-
may appre-
hension is
allowed.

ableness will make it readily followed, by the other Towns.

As to both City and Country.

There can be no doubt of their Powers, to do all things which are necessary for coming at the End, and exerting the Faculties, put in their Hands, by the Acts of Parliament. Some things common to both.

This Institution of Judges and Informers in each Parish, does noways exempt any other Judge in the Land from doing his Duty to the utmost that his Diligence can reach. Nor doeth it exeeem any Subject from his Obligation, of giving Information at all Occasions that Opportunity can allow.

When a private Person hath good Reasons not to delate immediatly to the Court, it's allowable that he may, undiscoveredly, give in his Informations and the Instructions thereof to an Informer or Constable, who, on competent Evidences, is obliged to bring it there.

Neither Informers nor Judges ought to have Partiality or false Pity, in their respective Stations. For the strictest Exactness herein is the Duty, Honour, and Interest, of themselves, of the delinquent, of the Neighbourhood, of the Nation, yea of Mankind: As will appear in the Sequel of this Discourse.

That the Penalties thus imposed, may be effectually exacted: The Minister and Kirk-Session with the Heretors of each Parish, or such of them, as shall meet upon Intimation by the Minister from the Pulpit, on Eight Dayes warning; have power to name a Collector: Excepting to the Royal Burrows the Nomination of their Collectors, these alwayes being accountable as others. *

* Act 22.
Patl. 1672.

Finally. It is plain from what is premised, how much lyes on the Ministers of each Parish, in Beginning

gining and Carrying on this Work: Particularly, to Incite and Perswade; the Session to move; The Heritors to meet; Both of them to Leet and Name fit Persons, of probitie, Knowledge, Discretion, and Weight; Such Nominees to accept, and having accepted, to do their Duty; Asalso Special Informers to Accept and Act, and all others to do the same noble service, as they have Occasion by Providence. In order whereunto both Sermons; Catechising, and private Conversation, afford good Opportunity; And it's hoped, that by the Blessing of God, the Heritors and Judges, Ordinary, (by themselves; and Deputs, as well in their own, parishes, as in others) will be ready to begin and continue in Carrying on this glorious Work, after they are once convinced that their own and their People, and the Nations, Blood, will ly upon such as either Withdraw or Counteract, In this noble Attempt of Keeping up a sinking State, and makeing it happy, by a Reformation of Manners in it,

Two things
remain to
be done,
for com-
pleting
the going
on of this
Work.

There remain as yet two things which would be mightily *subservient*, to this great Purpose. Namely the encourageing of the *Prosecutors* out of the Fines, after the *Expences of Court* are defrayed, under the *Administration of the Judge*: And the setting up of such *Societies for Reformation of Manners* as have had wonderful Effects in *England and Ireland*; who, by their *joynt Reasonings*, might fall on happy Proposals, for *Helps* where Execution faills, which they could easily procure to be adhibite: And, *separately*, they might in the several quarters of the Cities and Countrys where eaches influence does extend, promote the *beginning and continuance* in the Work: And in the mean time who would have occasion to *easify themselves*, by Christian fellowship, while they are thus met for doing

doing good to others: wherein they may both glorify God; and be singularly instrumental in the service of their Country.

But the *first* of these being well lodged in the hands of the Council, who no doubt will exert their Authority *adequately* to the end for which the Parliament did remitt it: And the *last* being so well set in its light by several late Books, of two whereof there was a *brief account* lately printed in this Kingdom: there shall no more be added at the present on either head: For, in the mean time, the *practice* of our Law as it stands may go on with success.*

* See below: Some Acts, which, already, ordain Constables, and other Informers, to have a share of the Fines; as therein exprest.

Before entering on *persuasives* to the several stations for their Executing or promoting the Execution of these or the like *proposals*, for this purpose, there are two things prerequisite to be distinctly cleared, since the arguments have a *general relation* thereunto. Namely, *1mo.* That open & unrestrained Vice of Subjects, is not only pernicious to the Delinquents *themselves*, and their *Fellow-Subjects*, by the example and snares thereof; but likeways brings at length wrath on the *whole state as such*, even to its utter ruine. *2do.* How far the Magistrates Legal Correction of the vicious, does not only liberate the Community as such of guilt, thereby averting the *Judgement*, and takes evil *Example* out of publick view to the great disintangling of other Subjects: But likeways tends towards the Offenders *own profite*, not only as to his temporal good, but also for his spiritual welfare.

As to the First.

Religion, of its own nature, upholds a *state*: as imprinting on a Prince his Duty to Subjects, and on Subjects their Duty to him, *themselves* and *one another*. And all this as an obligation to an Omniscient *Witness* and Omnipotent *Judge*, of the performance thereof.

The effects of immorality on Nations as such

But

But on the contrary Irreligion, of its own tendency, destroys a Common-Wealth: being as fatal to publick Societies, as it is to private persons: Because it dissolves these *bands* which are the cement and support of the same; for none will do right, or abstain from wrong, or is to be trusted; when he imagines *his Interest or Ease*; except in the *fear of God*.

Thus Histories observe that the *Pride* of the Babylonians, the *Lewdness* of the Persians, the *Luxury* of the Greeks, with their other Sins, were the remarkable causes of their ruine. And even the noble Romans, who before seemed to have got the Government of the World as a *reward* of their Virtue, having signally *degenerate*, the poor Northern Nations became (as one of their Leaders called himself) the *Scourge of God* in their overthrow. The like whereof has been manifest in the Disasters of particular Nations.

But what needs more then to consider the *Justice of God*, who rules in the Kingdoms of the Earth; And his revealed Will, concerning the measures of his Government: *The Nation and Kingdom that will not serve the Lord shall perish: yea these Nations shall be utterly wasted* *: *A fruitful land he turneth to Barrenness, for the wickedness of them that dwell therein* *. And how often does the Word charge Guilt on *Nations* as well as particular Persons; And give account of his proceedings with the Old World, *Sodom and Gomorah*, the *Jewish People*, *Damascus*, *Tyre*, *Edom*, *Ammon*, *Babylon*, and the *Canaanites*, &c. for their regnant Sins. And no wonder that a Nation contract publick Guilt when Wickedness is *open* and *insolent*, being in a manner countenanced, by the Magistrates *not exercising* their Authority, and the Body of the Peoples having *no concern*, for the suppressing of it.

* Isa. 60.
12.

* Psal. 107.
34.

Lest these as at a distance might drop out of our Minds; are there not two *living Witnesses* which daily *make Faith* before our Eyes, whom providence has made a terrible and lasting monument of displeasure against *National Guilt*, viz. the dispersed *Jews*, and *French Refugees*: not to mention the Famous *Asian* and *Greek Churches*, or the Miseries which have fallen on our Brethren in *Hungary*, *Palatinat*, *Piemont*, &c. And what has lately (as a warning) overtaken our own Nation by Famine, Deaths, Fires, National Losses Abroad &c. in a word *Poverty*, *Contempt*, and impendent *Subversion*?

And can the same *Causes* but produce the same *Effects*: And did not our *Fathers thus*, and did not our God bring all this evil upon us, and upon this City, * * Neh. 9. 18. And after all our *Humiliations* and *Vows*, should we again return to fill up the measure of our Cup, wouldst not thou be angry with us till thou hadst consumed us, so that there should be no remnant nor escaping, * * Ezr. 9. 14. will not he be avenged on such a Nation as this? * * Jer. 9. 9.

Neither needs any drive off the thought with stupid security, that there appear not *visible causes* of Fear in our days. For, besides what God can doe beyond our view; what may in ordinar providence, come of us, if on the King of Spains Death the *French King* shall become settled, in his *Treasure* and *Harbours*? Good God preserve our *Prince's Life*! May not we become *Enemies* to our selves, by falling into *Civil Division* and *Confusions*? What may the stopping the Influences of *Heaven* anew, a *Plague*, or the Consummation of our Colonies *Disseizure*, &c. do to our ruine?

And though it is not for us to fix the period of God's patience and forbearance, yet, what can we expect if we continue to make no better use of the peace we have, with our Neighbours than to fight

with our crying enormities against our God? whence it may, with reverence, be said, that there is *no more wanting* to make this Nation guilty *equivalently* (considering the *means* enjoyed) to any under Heaven, which we know have actually received the *last stroke* as a Nation: except the neglect, or *unsuccessfulness* on discountenance, of pious and regular endeavours for Reforming us. But if we express our Zeal and unite our Strength, against the Enemies of God and goodness among us, and thereby be free our selves and liberat the Nation *quasi* such, of the guilt of these Monsters; it still seems with us a day of Mercy: For if that Nation against whom I have pronounced turn from their evil, I will repent of the evil that I thought to do unto them *.

* Jer. 18.
7. 8.

As to the Second.

The Advan-
tages arising
to the *Vitious*
themselves
by the Exe-
cution of
the Laws a-
gainst them.

It's true Prayer, Admonition, good Example; and Church Discipline; are most proper for reaching the *inward man*, and likeways very eligible *means* for outward Reformation, when they may probably be *successful*: But where the offender is *stupid* or *impudent*, reproof makes too commonly no good impresson on him, or he *despises* it, and makes a *Mock at Sin*; in which case, *Pearles are not to be cast before Swine*; But it's a *kindness* to himself to try what a *Legal Correction* will do towards recovering of the poor *Captive* out of the snare of Satan, and bringing him to a *right mind*: In which the *strokes of Justice* explicitly directed for *that end*, and thereby being the immediat and sensible *effects of Sin*, may be instrumental; the same way as *afflictions* are, for *awakening men* out of their Lethargie of Vice.

The Magistrates chastiseing of the Wicked is an *Ordinance of God*, exerceed by him, who is the *Civil Parent*. So may it not be designed and blessed as a *mean* of pulling some as *Firebrands* out of the Fire; the

the same way as Solomon asserts of a Natural Parent, *thou shalt beat him with the rod, and shalt deliver his Soul from hell.* * And certainly by the *nature* of the thing, when Vice becomes Scandalous, and vertue in proportion fashionable; when even the Old Sinners find that *esteem and advantage* is to be got by other management than in the late Reigns, and that they cannot commit their disorders with impunity nor without *shame*, and when likewayes many *Temptations* will be taken out of the way: They will take some pains to be vertuous, at least to *appear* in the dress of vertue: And then they may come to *inquire* into the nature and reasons of Religion; and when they find by a sober advertance to its proposals (which they will now make without prejudice) and by some *experience* of the happy effects of it, by their endeavouring to imitate it; that it prohibites us those things that would be most highly injurious to us, and allowes us satisfaction to our rational Appetites, and its *excellencies* outbid all the Advantages that the World can offer; then may the *Seeds* of virtue which, before, lay choaked in some with ill *habits*, and in others with *want of strength* to bear the contempt that attended the going on in an untrodden way; be *awakened* and *revive*; though irresistible *Grace* only, be sufficient to raise those *Dead in Sin* to a true spiritual Life.

But still, whatever comes of *themselves*, the use of these measures with such men is necessary for *publick safety*; so long as they have *senses* to feel the strokes of Justice, which may bow them, though never so stubborn, in some measure, to Discipline and a better *outward* behaviour: That so they may cease to be destructive either to *Fellow-Subjects* or the *publick*; the same way as the Magistrate *shuts up* those who are infected with the *Plague*, though they have no *deserve*, whereas these are the *Common Enemies* of the Government, and Mankind.

Thence its
incumbent
on all to im-
ploy their
utmost en-
deavours, in
their respect-
ive Stations,
for procur-
ing the Laws
against pro-
phanes
to be Ex-
ecuted.

Whence it doth follow that all sober Men, of whatever degree or party, are bound to *do all* that can be in their power, for *Glorifying GOD* and saving the *Nation*: Seing therein are involved, the *being or well-being* of themselves, their Families, their Friends, their Posterity: The concerns of their *Souls and Bodies*, Religion, Liberties, and Estates: In a word that in an imminent *Ship-wreck* every *One*, whether fitted for the Helme, or Ropes, ought to fly to *his post*. Which has been excellently layed before us of late, especially by these who advance the *Societies* for Reformation of Manners, and the Summe amounts to this; that it is the *Duty, Honour, and Interest*, of all to promote a Reformation of Manners, not only by *Admonition* and *Example*, but likewise by giving *Information* of the Vicious, and accepting any Office which may conduce for Punishing them: Or, being in such a place, to *Exerce it* with *Diligence*. Which obligation lyes more *Strictly* on some *Stations*, who, as they have greater *Advantages*, so they are under additional *Bonds* for promoting this *great Good*, being so much to the *Glory of GOD* and benefite of *Man-kind*: And that without any *Cunctation* or delay in the matter, since it is presently *Practicable*, (as appears both by Reason and Experience) and there is much *Sin* and *Extream Danger* in putting it off.

Particularly
by giving
Informati-
on against
Delin-
quents.

Information, is first, in order, in this *Judiciary Procedure*: And it is the *Duty, Honour, and Interest*, of all, whether it be layed on them in a more peculiar manner within a *precinct*; or, without that, on all occasions that they shall have *subject* to be presented to the Judges; whether *immediatly* by themselves, or *mediatly* by Constables, stated Informers, or other Ministers of the Law there-
anent.

Thus, its
duty.

Its their Duty. As *Christians*, as *Subjects*, as
Men.

Members of the Community, and even as Men in the greater Society of Mankind.

The Christian life is a *warfare* against the Devil the World and the Flesh: Whence every Souldier, as a Captain in a Battel, or a Sea-Man in a Storm, ought not only to work out his *own* Salvation, but likeways further that of *his Fellowes*, and prevent the *Disshonour* of their great Commander; Especially the ruine of their *Country*, being consequential to the Defeat, and when it will bring a mortal Guilt on the Combatant, if he fail in this *Charity and Bravour*.

So *they that turne many to Righteousness shall shine as the stars for ever and ever*. For this a saving of Souls from death. * Yea there is a positive Com-^{+ Dan. 12. 9.} mand to Inform against the nearest *Relations*: Thy^{Jam. 5. 20.} Son, Daughter, Brother, Wife of thy bosome, Friend which is as thine own Soul—neither shall thine eye pity him, neither shall thou spare, neither shall thou conceal him. * And further the greatest of Men have^{+ Deut. 17.} thought this their duty: The Princes came to me saying^{2. 3. 4. 5.} the People of Israel and the Preists and the Levits have^{Lev. 24. 11.} not separated themselves from the People of the Lands,^{13. 14.} doing according to their Abominations. *^{Deut. 13. 6.}
^{Ex. 9. 11.}

Is it Love towards our dearest Relations to see them quietly dye, rather then give them Medicines that will indeed bring some pain and disturbance; but are proper for their recovery: even tho in their delirious fits they should have no sense of this good, but fly in the Face of the Physician: or do we not ty them down without respecting their Reproaches of Hardship (tho they be in their Senses) when a Member is to be cut off to prevent a Gangrene?

Let therefore Compassion for miserable Creatures lying under the Lethargy of Sin, move us to Scarrify and awaken them (by the Magistrats Hand) out of their deadly sleep, to a Sense of their dangerous Condition.

But whatever be the event as to the Delinquent, this is an Indispensible *Service to our selves, to others, to the Community, to the Church, and to our Prince.*

For the Informer does thereby *evite the bearing of the Transgressors Sin, by uttering it.* *

*Lev. 19. 17.
Deut. 19. 8.
Lev. 5. 1.

And every one that is nearest ought to prevent those who have the *Plague* visibly on them, from running in promiscuously among the *Sound*, or to walk publicly in the *Streets*; least by that neglect the Distemper become *Epidemical* so as at last it cannot be stoped.

*Vid. Act 31
Parl. 1696.
— at the
instance of
any person
whatsoever—
and does hereby
strictly re-
quire and
command
all persons
to whom it
doth or
may be-
long, to per-
form their
duties in the
premises,
and actually
&c.

By the *Rectoral Contract*, every Subject is bound for Active Obedience to all things *not against a good Conscience*, enjoyed by the King and Law: which this Duty plainly is, by the Acts of Parliament * and Council afterexpressed. And the *Popular Contract* and Obligations of *Society*, bind every Scots Man to do, whatever is in his power, for *preserving it*: And consequently to make delations of those pernicious *Enemies* of our Country, without which, being the *very first step* of recovering the Nation, there must ensue its *Shame, Confusion, and Ruine.*

The *Church* both by its Assemblies, and Ministers, have fervently pressed the same Office upon us: Which will likewise be more fully Illustrate in an other place. Whence after the Duty is made *so plain*, every ones *opportunity* is his *Talent*, for the improvement whereof to the best avail, he must be accountable in the day of the Lord.

Its Objected that Persons of higher Rank will not *descend*, and those of lower, fear the *Reproach and harme* which may follow on such Discoveries. And neither of them will renounce *their ease*, by undergoing such a Fatigue.

To which it is Answered, that the *Greatest* will find it their *Honour and Interest*, as the Princes of *Israel* thought it no Disgrace, which will be cleared in

in the sequel; particularly in that part of the Discourse concerning the Nobility and Gentry: And the meaner need not fear shame, for as in its own nature it is their *Glory*, so by a litle use it will be esteemed their *Honour*: As an evidence whereof, & that they have as litle cause to fear *harme*, they have GOD, the King, the Government, the Laws, and all good Men, on *their side*: Neither will the *Trouble* be any ways great to either, and what pains they take will be vastly below the Noble *Prize* to be purchast.

But as to *both*. Fear ye not the Reproach of Men, neither be affraid of their Revileings. Whosoever shall be ashamed of me and of my words in this Sinful Generation, of him also shall the Son of Man be ashamed when he cometh in the Glory of his Father with the Holy Angels. * But Blessed are they that are persecuted for Righteousness sake: It's but a light affliction for a moment, working a far more exceeding and eternal weight of Glory. Let none such be ashamed but Glorifie GOD on this behalf; and commit the keeping of their Souls to him in well doing, as unto a Faithful Creator. GOD giveth power to the Faint, and to them that have no might increaseth strength. Whatsoever thy hand findeth to do, do it with all thy might. And be Zealous in a good Work. Thus Elisha and Paul were called mad Men. The great King David was derided. Our Saviour, the Apostles, and Primitive Christians, were put to scoffes among other persecutions. And who ever (in his Reason) was it that declined a piece of pains or some hazard, for his GOD, his King, his Family, his Country; Yea or even for his Friend. For it is certain that the spareing of these Delinquents is a Mercy that is cruel, not only to the Community and others, but likeways in respect the Indulgence given to their runing on, brings on themselves greater sufferings here in their Persons, Families, and

* Mark 8.
38.

Math. 5. 10.
2 Cor. 4. 17.
1 Pet. 4. 16.
and 19.
Isa. 40. 29.

and Estates, and sometimes a Scandalous death, then the *Legal Punishment* amounts to; Besides the *Eternal Torments* that abide them hereafter.

On the whole. However others may hold back, any Man who intends for Heaven in the *Right Road* discovers to himself and the World his *insincerity*; if he forbear to enter without delay upon this Duty: Now after it is become *plain* and *succedable*, however the omission might have been excused hitherto by *inconsideration* and *Difficulty*.

2do. Its Honourable.

Duty is always a *Mans Honour* and *Interest*. Is not that Honourable which directly tends to promote *Religion*, to promote the *good of Mankind*, to strengthen the *Government*, to preserve the *Nation*, to set the slaves of Satan at *Liberty*, to shew a *Pattern of good*, rather than to be *followers of others*?

Is it not an Act of Bravery and Courage to set themselves in the Front of the Battel, and have the Honour of giving the *first mortal blowes* to the Legions of the evil one: Which, considering the light of the Gospel in this Land, cannot miss, by GOD's Blessing, to usher the fall of his Kingdom, and Government in the Nation? Is it Honourable for any *Souldier* of Christ to stand *neuter* in a quarrel betwixt Vertue and Vice, wherein their Religion, their Country, and their Posterity, must be the Trophy of the Conquerour on either side? Yea would not a very Heathen condemn such, who will *not suffer* his Artificial Deities to be affronted, or his Religion to be despised?

3tio. and e.
very mans
Interest.

If *Interest* be considered: What is more dear to us than *our all*?

Our Souls are concerned in not being *Partakers of their Sins*. And all our earthly Enjoyments are in the Plea, the same way as the *Mariners* are equally interested with the *Master* that the Ship should not sink.

God-

Godliness (whereof this Duty well digested includes a *Compend*) hath the Promises of the Life that now is as well as that which is to come. And whoever expresses his Love to God in this Manner, may expect that He will shew Mercy even to the Generations after him. And whatever may be the outward Condition either of himself or of his Posterity when he is gone, he is sure to have, and to leave to them, a whole happy Nation for inhabiting therein; For the temporal Promises are specifically fulfilled to a Community that turns as to the outward part, seeing *qua such* it can enjoy no other.

*. Exod.
28. 26.

It might be added, that it will no doubt fall frequently out, that the Persons retri'd, by this mean, will most cordially return Thanks to the first Instrument of their Recovery, and be the most strictly Allied Friends to their Benefactor in time coming. As also, that those, even who can spare so much time from their proper Affairs without reparation of the loss, shall have it from the Judge out of the Fines; without any reflection upon the Receiver. But this last, tho' Honest in its self, deserves not a room among so many other more precious Advantages.

It needs not be objected by any, that they want the Advantages of Riches, Honours, Learning, or Authority, for being beneficial in this noble Work.

For it is answered, That these still have a Talent sufficient for the End proposed, being no more than the Telling to the Magistrate what every Body knows to be an Ill; Which, therefore, they may and ought to lay out: And that the rather, because their Condition has the Happiness of being freed of many Temptations which fatally obstruct those in an other State from performing

forming faithfully this noble Duty; Whence our Saviour did observe that, *it's hard for a Rich Man to enter into the Kingdom of Heaven.*

Neither need these despair of Success: For even in the first publishing of Christianity, He chose the foolish things of the World to confound the Wise, And the weak things to confound the Strong.

1. Cor. 1.
26. 27.

And not many wise Men, not many mighty, not many noble, were called.* Tho', blessed be the Lord, those were brought in; After once it had become apparent (the Instruments being so weak against a World of Learning, Policy, and Power) that the Work was *his*: And there is the best ground not to doubt, but they will now support and concur with these *subservient* Ministers of an universal Good, against unreasonable Men, who should be treated as a sort of *Out-Laws* and *common Enemies* against their Country as well as against the Christian Religion, which is now incorporated into the Laws thereof: And against the Peace and Happiness of Mankind, even to the dissolving the *Bond of human Society*; as well as against *themselves* (*sibi pessimi*) and other private Men whom they infect by the pestilential Vapours of their noysome Examples: In Prosecution of whom it would become us to adventure all our dearest Interests in this world, nay, a thousand Lives, if we had them to lose.

Men of
Weight ob-
liged to
accept and
act as Jud-
ges.

Supposeing that Men of Probity (there being no doubt as to those of Religion) are induced to bring up *Information* to Judges, it remains, in the next place, to obtain Men of weight in each Parish to accept the being made Judges; and both them, and those already in place, to do *their Duty*.

O that I could persuade this, which is consummative of the Work begun by Informers; For the

the Happiness or the Misery of the Nation depends on the Success.

The *Grounds* which inferr an Obligation to accept, do likewise bind those who have already accepted to go on: And these have *additional Tyes* on them arising from this Fact: Whence We shall begin with the first.

Every Man, not incapable, is bound, in *Duty*, Imo. In Duty. to do any thing enjoyed by Authority of God; Or any thing not unlawful in it's self imposed by the Civil and Church-Powers; And which is likewise included in his Tyes to his *fellow-subjects*, and in his Obstructions of keeping off Sin from being imputed to *himself*, or the *Nation*. But the accepting to be Judge in this Matter, when called thereunto, conform to the Law; Is *such*: And therefore every one, who is capable, is bound to doe it.

Our Almighty GOD, does ordain, in Scripture, the doing all things in our power that may be to his Glory, and to improve the *Talent* of opportunity for that end. Yea *whatsoever our hand findeth* (as certainly it doth *this*, when it is in our offer) to do it with all our might. Our Saviour enjoys *Charity and Love* of the Brethren as the Badge of his Disciples, which advances even the length of laying down our *Lives* for them at occasions, much more to the undergoing of such a small *pain* as this. The Holy Spirit, in *Peter*, commands us to *submit our selves to every ordinance of man for the Lords sake* *. * 1 Pet. 2. 13. as this certainly is, by the Acts of Parliament, Council, and General Assembly, strictly pressing all men in their capacities to set about the suppressing of Vice and the Execution of the Laws (whereof this appointing Judges in each parish is one) *there-
ment*.

No less is implied in the nature of *Society*, and the

the obligation of one *Subject to the rest*, then that he should accept, for the good of the *whole*, what is layed on him by the Major part: As this office plainly is, both by the Peoples Representatives their determination in *Parliament*, and the Session and Heretors their *choise* in conformity to the same; whereby, likewayes, this *Subordinate Society* of the Parish claimes *what right* they may have in the good Offices of one of their *Communion*. And it is certain, that this is a high *Service* to the *Community*; Religion being every man's great interest, as the promoting it is every ones *Work or Duty*.

But further, how can a man be accountable to *himself*, any better then to his God and his Country, if he should refuse to be an instrument of doing so great and so excellent a good? For whoever repudiates the offer is the *Cause* of, and so, in a manner, draws on himself, all the *Wickedness* that shall be committed by the People through the places remaining *vacant*, or the *Unsufficiency* of an other who must be surrogate on his repudiation. No less than this seems implied in the nature of the thing: Seing as in *Law* he who owes and denys *Aliment*, is thought to *Kill*: And whoever may, and does not hinder evil, is judged to do it: So in the Gospel we must *not love in word but in deed*, nor is it enough to amand off the poor with a, *be thou cloathed!* This were indeed a *not lightning the burden with a finger*: And it were a *suffering sin on his neighbour* *. which, whether it co-incide with, or be contradistinct from, *rebuking him*; may, in the adequate extent of the precept, comprehend this case.

* Lev. 19.
37.

In a word, a man to whom such an offer is made, is, beyond the ordinary tyes, a *Christian having special advantages*, and consequently under a particular obligation of doing good, by glorifying God, benefiting man, saving the Nation, and securing

ing

ing both himself and posterity against Sin and Misery.

If Honour and Interest be desired, they are also here, the concomitants of Duty.

Though the being called *Patriots* is common to such with others; yet their being *Retrivers* of the *virtue of the Nation*, and thereby *Repairers* of the greatest *Breaches* in it, (which, indeed, bring a pace our whole Walls to the ground, whereupon there is nothing to gainst-stand a general Assault) Is peculiar to those Noble Undertakers in each parish, whose usefulness to the publick will surpass the best plannes that could be laid by the greatest States-men upon Earth.

The King is indeed the immediate Fountain of *temporal honour*, and these Gentle-men have a share in it, derived to them not solely * from the Judge-Ordinary, but by him, as a Channel, from His Majesty, and that in Parliament, with an elogium of the Judge Ordinaries fault, and the need that there is of this Supplement for it. But their greatest Honour is to be in a special manner from him, who is *higher than the highest* upon earth, and has declared *them that honour me I will honour, and they that despise me shall be lightly esteemed.* *

* As an evidence thereof, by Act 22. Parl. 1672. Commissioners may grant Commissions (the Analogy of our constitution requiring such) for that which they cannot judge themselves; the Depute. being constituted, is, in

this, *superior in Power* to the constituents, who resolves only into an instrument of obeying a Nobler Authority than he hath of his own. * 1 Sam. 2. 30

It is sensibly perceived, by all the considering men in the Nation, that many of the ordinar Judges *Supine negligence* in not taking up accusations against the Transgressors of the Statutes punishing immoralities, as well as the Penal Statutes of far less import; Yea their *discourageing* the bringing to them either by private persons or publick Officers of any such charge; yea further many of them by their *commanding examples* giving countenance to and augmenting these Guits; Has, since the obstruction of an authorising Court is removed, occasioned our desolations and arrival at the brink of ruine, by

the Inundation of those Debaucheries, to which these *unfaithful watch-men*, who had the trust of our banks, have put no stop. But the Judges in each parish will have the glory of making up the *defect*, (yet still as its henceforth hoped with the concurrence of all the Judges Ordinar in the Land) and of freeing us from the *Thralldom* of open Prophanity and Vice, which bears so hard upon us while we stand unarmed by Authority, that a man who intends to be a true Christian, much less he who is no more then *almost such*, cannot enjoy his *Liberty*, with repute, and peace.

gtho. In In-
terest.

There needs no more be said of their *Interest* then what is premised concerning that of Informers, and that it is their duty and Honour; for Godliness is great gain; he that walks *uprightly* walks *safely*: And both the positive and negative effects which will follow on this Blessed course, will be the *happi-ness* of the instruments Private Persons, Families, Estates, Relations and Posterity, as well as that of the Nation in which they are comprehended.

The exerceing of this place will be a service to the Neighbourhood, in tending to render their *Servants faithful* and diligent, and their *Tennents flourishing and dutiful*; as in the nature of the thing, so by bringing down the Blessing of Heaven on all that *District as a Community*: And thereby it will render the Judge *considerable* while he lives, and his *Memory* like Oyntment after he is dead; Especially to those of whose spiritual felicity, though by the Rod, he has been an advancer. Besides which, the faithful discharge of such an Honourable and Important Office is a good *diagnostick* by which either the Government, Shire, or Burgh, may know whom they may *trust*, when they come to make choise for a greater, though it cannot be a *Nobler*, Post.

As

As to the Judges already in place, and those others after they come to it: They have superadded obligations from their *Oaths*, to Execute all the Laws put in their power; the word *de fidei* implying *Faithfulness*, and that *Diligence*, and this *effectual* *exaction* of what ever is committed to their Trust: So that they are chargeable with as *many perjuries* as there are times in which they have or shall omit to punish one, when they might, or may do it.

But in particular, those who have hitherto been Judges are bound in Duty, Honour, and Interest, to *run fast* for redeeming the woful loss of time, which has run on in their Accounts.

They are entrusted with power for the *Honour* of its Author, and the *good* of his People; the violation of a private Trust, as it is justly esteemed *base* and *detestable*, so it obliges in *reparation of dammadges* incurred thereby. Whence those, who have their trust from God, by the King, or others deriving right immediatly from His Majesty, must give an Account for the Deluge of Sin and Wrath which hath, or may fall on the Nation, through their willful neglect of their Duty; since all Relevant impediments have been taken out of the way, and they have been so often stirred up to it by King, Parliament, Council, Assembly, Ministers, and some private Christians as occasion did occur. For our Saviour tells them, *Unto whomsoever much is given, of him shall be much required.* *

* Luk. 12. 48

Their *Honour* is no less concerned then their Duty: For many of them are plainly branded by our publick Acts of Parliament and Council with neglect, * which, in consequence, Charges them, with the Nations Ruine. The *Wiping away* of which imputation is as Honourable as an *Absolutor Sentence* to a Person infamous *Infamia facti*; or at least as a *Remission* on a Narrative, that its the *Purchase* of *Subsequent* Glorious Atchivements.

* See Narratives of Acts 13. Parl. 1695. &c. and of Assembly after mention is made.

These

These have been the fatal *Enemies* of the Nation, so far that shame might have made them not able to look a Man of Honour in the Face, for such a *prostitute* abuse of the *Guardenry* thereof: And if it be not their Honour to be reconciled by a better Demeanour in time to come, which is the only Reparation required of them; is left to the consideration of those among them, who are of Sobriety and Sense, and whom, its like with regrave, the Tyde has carryed down; and the fear of *Singularity*, when the Major part of *such* resolved not to Act, has deterred.

Yea they may find this *their Interest* to the boot. For many of them need not think to escape *animadversion* by a Superior Authority, for this and their other particular escapes, if the foresaid Attonement be not made. For there wants not persons, both of Interest, Repute, and Estates that will *spare nothing* for prosecuting those whom they know (which the publick cannot be as yet so particularly informed anent) to have been promoters of the Devils Kingdom and of publick ruine.

The Nation has had such a mean opinion of *this sort* of inferior Judges, that their *Decretes* have little respect with the Council or Session, or confidence in them by private parties. But when they shall come to manifest *their Integrity* by a conscientious prosecution of those that are bad, especially this being joined with their own ceasing to be examples of mischief; then their Sentences will be looked on as given *bona fide*, and consequently more regarded by superior Authorities, especially when it is not a clear point of relevancy or probation, but such as *might have been diverse* on the place, from what it appears in the review; the Leidges will acquiesce on the faith thereof, and will more *resort* to their Courts in cases that may any wayes be competent there

there, then they do, conform to the true Design of their Institution.

What is hitherto said concerns only the *immediate Agents* as such. But the Nobility and Gentry, under that Reduplication, are under *stricter Obligations* arising from *their* Quality, both in *Duty, Honour, and Interest*, to propagate and support this Glorious Work.

The great Promoters of this Work, particularly the Nobility & Gentry.

The Nobility are justly in much Observance among us: And they, and the Gentry, filling Places of State, Council, and Judicatories, may, as they were the principal glorious *Actors* in the Reformation of Doctrine, be (since it is in their power to be) the *chief happy Instruments* in the Reformation of *Manners*; by their Influence, Direction, and Protection, in City and Country: Others, being in a Manner, their *Accessories* who will owe their Success to their *principal Maintainers*: Which, as it will entitle them to great *Acknowledgments* from the present Generation and Posterity, so the Effects of *their* noble Endeavours may last to succeeding ages, as long as the Nation, and perhaps the World, may last.

Hence it is their *Duty*, to lay out those *Advantages* which they have of Authority, Interest, Fortunes, Example, and Employments, above Men of lower Rank, in gratitude to the *Donor*, for the Glory of GOD and the saving of their Country. Especially seeing the *Baseness, Folly, and Bestiality*, of Vice, is inconsistent with their Honour: and brings lasting Mischiefs on themselves, Families, Estates, Posterity, Friends, their Souls, Bodies, and Reputation: Besides what is involved in the *Fate of the Nation*.

They are obliged therefore, to, in duty.

It is one of the *Talents*, which they have by their Station, that they are capable to attack the *Monsters among themselves*, and thereby free their

Order from the *Disgrace* of such, who are abandoned of the Sense of *true Honour* as well as Religion: For the *Quality*, no more than the Number, of those guilty, cannot alter the *Nature* of the thing, nor take off from it that *Infamy* which the Law of GOD Nature and Nations has affixt thereto; as it cannot in Murder, Bribery, or Theft &c. Great indeed will be these Bodies, when those *out-Laws* of them shall be shuned by all but the unclean *Herd* of the Vicious and Profane; who may e're long be ashamed of one another in the *Sight* of the Sun, and be forced to converse or rather have their *Ganges* as Robbers, Pickpockets, Clippers and Coyners, in dark Corners, and continual Dread of being discovered.

2d. Honour.

No Honour can make any too great for so noble an Employment, which is the greatest *Glory* of Princes, to be a *Terror to Evil-Doers*, set up *their Standards* for Religion, and declare against the *Insolent Enemies* of their Country.

Are they not the *Souldiers* of Christ; and can any such, in Honour, see him *publicly affronted*, without *Resentment* of the Injury?

Is it not Glorious to uphold a sinking State! Is it not *Generous* to aid *Dependents* in their greatest need! Is it not *brave* to be a *General* against the Legions of Satan! Is it not *kind*, in one especially of the same Rank, to hinder a *Fool* or *Lunatick* from wounding his Body, or destroying his Life?

3rd. Interest.

These most noble Patriots will find their *Interest* in this best of Conducts. For besides the common Salvation; have not these *more to lose*? Is not the *Want*, or *Loss* of Children, or other Disasters of a Family (which depend upon the *Twinkle* of Providence) *more* heavie to such?

What

What is less in Mans Power than the *Mind* of another; so that here the *Great* are in a special Manner, dependent on GOD, as to the Favours or Frowns of their *Prince*, or the *People*; towards themselves, their Friends, or their Enemies. But they have a great Charter from him, who can turn the Soul as the *Timber* on the *Waters*, *them that honour Me I will honour, and they that despise Me shall be lightly esteemed. Phineas - - shall have it and his Seed after him - - - Because he was zealous for his GOD. * And it was accounted to him for Righteousness unto all Generation* for ever more. **

* 1. Sam: 2.
30.

* Numb:
25 12. 13.

* Psal: 106,
11.

And certainly, from the Nature of the thing, as well as by the Dispensations of Heaven, all wise Men, whatever be their Goodness, will, in the Nomination or Choise of Persons to places, take *Dauids Rule*; *mine Eyes shall be upon the faithfull of the Land that they may dwell with Me, he that walketh in a perfect way, he shall serve Me **: For besides that the *Designer* or *Electors* are in a manner *Authors* of, and *Accessory* to, all the Mischief done by the *Negligence*, or *Unfaithfulness*, or malignant *Example*, of the Person preferred; So neither *Prince*, *Promoters*, or other *Subjects*, are sure of the *Gratitude* or *Fidelity* of a Man who is not *Awed* by Religion, whenever his *Ease* or *Interest* induces him to *swerve* from his Duty.

* Psal 107

As the King has a *Spy* in a good *Great-Mans* Breast, so the *Nation* will give Suffrage, by being in *Humour*, at the Adeption and Continuance of *such*; which is likewise a *Firmance* to him of the Favour of his Prince. He can do more for his Master in a *Meeting* of State, or Tumult, than many of those who are either Irreligious or give just Suspicion of being so; because Men will confide in his *Raison D'etat*, tho' not fit to be known, and not *Apprehended* by those who

trust his Sincerity: Whereas Fourbery is Jealous; even in what is *Right*, when carried on by those who have not a *Principle*. If a pious Man be a *Judge*; then even the *Looser* of the *Plea*, will not *Pique* at him or his Posterity, frett in *himself*, or be intraged at his *Party*: Because he'll acquiesce that he had *not right*, or he's sure that, after due paines, his Judge thought *so*: which is a great Interest and Ease to both. But without farder running through obvious Particulars, when the Man of Integrity is obliged to retire, he carrys the best *Laurel*, the Blessing of his GOD, home with him to his House: And often his *Considerableness* every-where, makes him be called back: or, however, Heaven and the Nation *resents* his Probity in his Posterity.

It being hoped that by the Good hand of our GOD upon us, we will be perswaded of our obligations to the exercise of so manifest Duties, as are above represented: Its incumbent on the *Ministers of the Gospel* to press the going into, and keeping up in, the *practice* thereof. As to which, they have *special opportunities*, not only in Sermons, where they ought To cry aloud and not spare the shewing to the

* *Isai. 58. 1.* House of Jacob their Transgression; * and in going from House to House * As their Master went about doing Good; &c. But likewise the *Law*, having layed it on the Kirk-Sessions to proceed with the Heretors to the nameing of a Judge; and several Assemblies having with much earnestness enjoyned them to do their outmost endeavours for obtaining the Laws against Immoralities to be Execute; Puts a *further obligation* upon them in this particular; Yea, thereby, it lyes on them to be the *first movers*, in every *step* thereof; when their People do not offer themselves: And consequently their Labours herein layes a *new bond* upon us, that these be not in vain,

Special lyes
ly on, and
to, the Mini-
sters of the
Gospel.

* *Isai. 58. 1.*

* *Acts 20.
20. 21.*

but

but have success to both our Consolations in the great Day of Accounts.

Hence a *Great weight* of this Work lyes on the Ministry. But there needs no length of Argument to that Sacred Order for proving it their Duty, Honour, and Interest; Our Constitution being *such* as, blessed be GOD, it now is; But there is most need of Caution to *Our selves*, of whatever Rank, that we take not in ill part the most incessant *Importunities*, and strict *Rebukes*, which we can receive from these Messengers of GOD, when we slaken in, or neglect our Duty: For they are *Watchmen and Overseers*, of whom the Blood of those that dye in their Sins, if they knowingly suffer them to sleep in them, will be required: And therefore let us all hear and obey in Vindicating the Honour of GOD's Laws, stopping the Avenues to Notorious Enormities, taking out of publick view the contagious Examples of bad Men; preparing these Men themselves, thereby, the better for *Susceptibility* of Godly Discipline, and the greater influence of the Clergies *Doctrine* and good *Examples*, on their Minds; by our own Counsels, Examples, and Actings, wherever providence allows opportunity thereof.

It remains only to *unveil* Two Difficulties: Two difficulties removed. namely. 1^{mo}. Some may pretend the opposition will be *so great*, that there is not Hope in the Success, and thereupon *Elude* the Duty. 2^{do}. Some may ly by and delay to begin till *others break the Ice*; which if many or most should do, the Design, in a great measure, becomes abortive.

As to both these: They are a most unjustifiable Conduct, Proceeding from *Fear, Laziness*, or want of good Principles: and no doubt the Enemy of all good, is not asleep when such a brave Onset is to be made upon his Regions of Darkness: But will inspire some with *Direct Opposition*; suggest to others

fallacious scruples; serve the inclinations of a third Sort by *Plausible Excuses*; and *Divert the Thoughts* of a Fourth, by *Interventions*; so as not only the openly Debauch'd, but likewise the pretended *wary Christian*, may be taken in his Manacles. But common Reason and Experience are sufficient to *Confound* the Delusion.

Grounds of
hope of suc-
cess.

The Design is Excellent in *its self*: The Method of it is *Natural* and *easy*. The endeavours of the like Nature, under greater discouragements, have Succeeded to a *Wonder* in our Neighbouring Kingdoms. Our *Laws* are better, Especially as to Judges in each Parish: We have *Church-Discipline*: the *Civil Government* is for us: The posts of *State* are filled with good Men: The President and most of the Lords of Session are on the *Council*, and thereby as they are ready, so they will be Capable, to promote what further Acts may be requisite. The Virtuous part of all parties in the Nation are on our side: The *Scots* are Naturally neither so Prostitute nor Untractible as other Nations; as an Evidence whereof, the Sabbath, in the worst of Times, has been in considerable Observance. But, above all, we have Reason to Hope, that the *Good hand of our GOD* will be upon us, in His Own Service; and that, the GOD of all *Power and Grace* being with us, none shall prosper in being against us.

Sin is, like its *Author*, Cowardly and Snaking, when it is resisted. But, however, is an *Unmanly bashfulness*, Or are little *Inconveniences*, a sufficient excuse for not appearing for the Honour of our *Lord and Master*, and the saving of our *Country*: notwithstanding of our Obstructions thereunto by all the Rules of *Duty, Honour, and Interest*? can the *Souldier* endure the *Fatigues*, and venture the *Hazards*, of a hot War, on no higher motives, than generally he does; And we prefer a little carnal *Ease*,

or the the *Fallacious* favour of a few Dastards, to our making appearance in a *cause*, which is good in its self, and avowable to the World, in all respects both private and publick.

Hence do evanish several *Ojections*, which proceed from *mis-stateing* the case.

Application of what proceeds, to some particular *Objections*.

Such as: *That*, Men of *Figure* will not be Deputs to *Inferior* Judges: For as, rather, these are *Denuded* in favours of those, by *Statute*; and the last are no more than the *hands* that *Minister* down the power to the first, from the *Sovereignty*; So, it cannot be presumed that any person of a *Publick Spirit* will be deterred by such a *whim* from so *Magnanimous* an Undertaking; Especially considering that the *Glory* of *GUD*, the *Good* of *Men*, *Peace* of *Conscience*, and the exigences of the *Nation*, do far Counter-Ballance this *Notion*. *That*, in many places, Men of *Religion* or *Probity*, cannot be had: For, as this takes not place where such can be prevailed on, So, tollerable *Instruments* may be very efficacious to an *External End*, since outward effects do not depend on *Intentions*; and *Shame* or *Interest* may move, when *Sense* of *Duty* has not, as yet, got strength enough against its Opponents. *That*, such a *Man* will *Transact* with some, and wholly overlook many other Delinquents: For, the first, serves, in part, the *Design*; since even the *Composition* is a *Terrour*, and something is better than none at all; And the last is not his *Interest* (besides that he may come to be, by this *Opportunity*, convinced of *Honour* and *Duty*) when by frequent *Reflection* he sees his *Reputation*, and the *Temporal welfare* of himself and the *Nation*, to be the consequence of his *Faithfullness*; besides that the *Administration*, or *share*, of the *Fines*, is *his own*; * And no matter, what come of these *Penalties* after *Exaction*, whether *imcondingly* lodged or not (as some *Seizours* are *brunt* or *staved*)

* See below: concerning what remains to be done.

starved) rather than they should remain with (and thereby incourage to go on in Abominations) the more numerous worthless Delinquents. That, pique of Neighbours will divert the acceptance of some who have *secrete inclinations* to the Business: For, presently, its a kind of force, under pain of *Damnation* on those who shift such a Duty; this motive of a warding it is a *shameful Cowardice* in any person of Honour or Courage; And non-acceptance may meet, in time, * with *Coaction* by other Temporal Penalties; all which afford *sufficient excuses* from any *Noticeable Ground of resentment*; besides, that, as its much more dangerous to Offend GOD, the King, and all Goodmen, so, in a while, the angry may turn (by the Blessing of GOD) to be thankful acknowledgers of so great a Benefite. That, a new and odd model will be scarred at by some, and hissed at by others: For, as the first is not probable, with Men of *Common Sense* that by the least penetration consider the thing; So the last, being only possible from the *Despicable Rout*, is a *Persecution* not at all valuable; the same way as the best Men do despise, as the greatest Actions cannot escape, foppish *Buffonry* and *Lampoon*; and as to both; its an easy *Prudence* to obtain this *Judicature* with its *Assistants*, especially *Informers*, to be set up, first, in some of the most *Adapted Parishes* of a Country-side, which, in a short time, will *innure* their Neighbours who come to know thereof, and rub away the *Foolish Idea of Singularity* and *uncouthness*. That, in some Parishes, their are not *Ministers*, and in others only *Tomen* to be *Judges*; which last will derogate from the *Estimation* of the place: For as neither of these needs hinder to proceed in these Parishes where there are not such *obstructions*; so necessity, keeps off affront from the Office, the same way as its no dishonour to the post of a *General*, that sometimes, in

* See below: concerning remains to be done.

straits

straits, the greatest *Victories* have been obtained
 by Men come from the *Plough*: And how oft have
 Persons of merite, rising from the *Dung-hill*, been
 Ennobled by the highest *Trusts*, which, yet, none ever
 thereafter refused on that Account? But the true
 difference lyes here, that the refined *Adversary* of all
 true Honour manages his *delusions*, only as to those
 Stations which tend most to his hurt. That, *Heritors*
 will not meet to make *Nominations*, of Judges and
 Collectors, or countenance Informers within their
 bounds: For, many will do otherways, in Conscience
 of Duty, Honour, and Interest, or fear of the
Judgements which impend over such an *insensibi'lity*;
 and, however the rest met, yea even the *Kirk-*
Session on their Failziure, may proceed; and many
 will suffer what they will not *Act* at first, as, there-
 after, the *resplendent light* that is in this matter, may
 fully *Captivate* their eyes. That, the name of *Informers*
 is odious, and bogled at by the unthinking
Crowd: For, it was only so in some bad times, when all
 did not agree that the *subject was a Crime*; Or where
 there is a *personal obstruction*, to the discovery, from
 the *Trust* reposed in him who does not, directly or
 impliedly, renounce the confidence: But, here, the
 name is as *Creditable* as that of a *Temporal Saviour*
 can be; and it is favourable to the outmost degree
 that Holy Duty, clear Honour, or Common Interest,
 can make it; whence it will be a Reflection on any
 Mans understanding, to be frightened by the bugbear
 of a mistaken word. That, the Poor will be defrauded
 by deduction to prosecutors * off of the *Fines*: For, as
 the remainder will still be considerable, So, their por-
 tion is at present (by non-prosecution through their
 almost empty Title) much less then the *Fragments* of
 invigourated pursuits, will amount to: Besides, that,
 in common equity and expediency, what is re-
 quisite *Negotio gerendo*, for making the Purchase, is
 reckoned

* See be-
 low: con-
 cerning
 what re-
 mains to be
 done.

reckoned a necessary *Expence*, to be taken off of the first end; and its a *less evil* (which allwayes, in such a collision, is to be chosen) even to supply them out of *other Fonds* if there were some deficiency, then that, by this *subtile Temptation*, the Nation should continue wallowing in its Blood, to Death or Ruine: While, in the mean time, by an unaccountable *Commutation*, the Penal Statutes, which labour not of such *Defects*, receive *vigorous Execution*.

In a word, what *Surmises* are generally raised to cover *sluggishness*, in begining or carrying on, this great *interprize*; proceed, either from *pusillanimity*, imagining that a *Lion is in the way*, tho, when attacked, it will dwindle into a *phantome*: or, From want of *distinct thoughts*; for most of their Arguments do not hold, unless a *partial difficulty* could excuse a total neglect of Duty; and yet on this reasoning & from *some unsurmountable particulars*, all is cast at the heels; and the far greater part, which is *superable*, is overlooked: Or from Men not Born for any *generous Action*; who will not try so *feasible a project*, by begining it; upon pretence of what *may fall out* in the progress of it; tho there be *Illustrious Examples*, that a few Men in a Nation, being *Active and Zealous*, have brought (notwithstanding of the *Majorities* being *passive*, or even *fretting*) excellent Designs to perfection, when the *unequality* was *out-weighed* by the Laws and Government, and, above all, the Almighty's, being on *their side*; and if it were otherways, it would be impossible, in an *universal Degeneracy*, to make any *Reformation*, whether Civil or Sacred. Or from such whose *Corruptions Master their Sense* of Duty, Honour, and Interest; at the least, whose *laziness* prompts them to draw such cobweb veils over their *Conduct*, for palliating their neglect thereof; which leads to the next point proposed namely,

Namely to convince, that tho there be a *special obligation* on those who, by the nature of the *thing*, are the *Primum mobile* of *Action* in this blessed Attempt, yet *all others*, in their *Respective spheres*, are *likeways* bound not to lose a *minute of time* in which they find (as they will be Answerable to the *All-seeing Eye*) themselves *Capable* of advanceing the *Commencement*, or *Promoveal*, of it, to an happy effect.

For none ought to think the Service too hot at first, and therefore leave others to bear the brunt of the Battel, reserving our selves to a less doubtful parade, when the Body of the *Nation* comes up. Since Cowardice may, in this war, betwixt Virtue and Vice, be as *mischievous* as Treachery: And if we remain *Neutral* till Religion be depressed, and our Country ruined, is this the *wisdom that is from above*? But whatever may be of this, and that *Salvation may come from another hand*, such Loyterers ought to consider, that they are bound not to cease a *moment* beyond opportunity, if they have *Zeal* for God or *Charity* for man; For hath not the Nation bled and suffered enough already by unexcusable delays? *qui cito dat, bis dat. He that is not with me is against me* *. They are partakers of the Sins which they might and ought to have restrained in the mean time; And the Battel, being Bloody and uncertain, how will those Regiments Answer it to their Prince, who shall stand by and idly look on without striking one hearty stroak in his cause, to whom they vowed military *Faithfulness*:. But above the rest, how will the *Officers of these dastardly Troops* answer it to their Sovereign, who dreaded a little danger and hardship in his Service, more than his Royal displeasure?

On the whole, let both these consider, that seeing those *Subterfuges* cannot sustain before him that sees not as man sees, but searches the heart: And a

And not
protracting
to begin.

* Matth. 12
30.

Curse is threatened to those that do the work of the Lord negligently: much more to such who totally desert it; that being, in Religion, a constructive fighting against God: And having thought, let them not be slothful, but diligent followers of these who through faith and patience inherit the promises; And strive who shall be the Leaders in this field of Honour.

Conclusion.

Finally, Let all of us consider Vice as an Enemy to Humane Nature, and as tending to the Ruine of the whole World. Let us therefore pull our hands out of our bosomes: And now when it seems to be a Season of Action, make one general and brave Effort for Religion, and the Nation. Let us point our joint batteries against the strong holds of Debauchery and Prophaneness, and prosecute this Religious War with Resolution and Conduct. And let us not be weary of well doing, for in a short time we shall reap if we faint not: And a Crown is prepared for those who are faithful unto Death. A work necessary not only for our Prosperity but Subsistence; To which Almighty and All-Good God, for the Merits of Jesus Christ, by the Grace of the Holy Ghost, inspire, and determine, excite and fix us, till the perfection thereof. Then it shall no more be reckoned Breeding to Swear, gallantry to be Lewd, good Humour to be Drunk, abjectness to be Serious, Wit to despise sacred things, or Fanaticism to observe the Sabbath, &c.

And though (which is the last consideration) these attempts should miss of the desired success, because the decree is gone out against the Nation, yet still it remains our Duty, Honour, and Interest, to proceed; since, as we are not to pry into the secret Councils of Heaven, so still, our actings, as long as we are spared, will do a great deal of good; by giving a Testimony to Religion, yea a considerable Check to intervenient wickedness, yea, deliver our own Souls from the guilt of omitting known Duty:

Yea.

Yea, it may be, that even an Ark shall be mercifully provided for us, to escape from the common Deluge, which the most merciful God avert, by sending his Holy Spirit to bring us to Repentance and Reformation, for the sake of Our Blessed Lord and only Saviour. *Amen.*

F I N I S.

Some

Some Heads of the ACTS, made against Prophaness &c. The Pains thereof; and Methods Appointed for Executing the same:

Following the Order of the Ten Commandments, as is done in the Proclamation of Council, publishing the Abstract of these Laws, And some general Reflexions thereon.

Together with some Particles of ACTS of Council, and General Assemblies, relative thereunto. And an Appendix concerning the Societies for Reformation of Manners amongst our Neighbours

A G A I N S T Atheism, Blasphemy, Deism, and despising Religion.

W H O S O E V E R, not Distracted, Rails upon, or Curses GOD, or any of the Persons of the Trinity: Or

(a) Act 27
Parl. 1. Sess.
1. Ch. 2.

Denys GOD, or any of the Persons of the Trinity, and Obstinatly continues therein: Shall be Punished by Death. (a)

you [Without derogating to this Act, for it is Ratified] whoever in Writing or Discourse, Denys, Impugns, Quarrels, or Argues Against, the Being of GOD, or any of the Persons of the Trinity, or the Authority of the Scriptures, or the Providence of GOD: Shall be Punished for the first Fault by Imprisonment till Satisfaction in Sackcloth to the Congregation where the Scandal was given; For the 2d. In a Years valued Rent of his Real Estate, and 20th part of free Personal Estate; and Imprisonment, till Satisfaction

(b) Act 11
Parl. 1695

as above: And for the 3d. by Death, as an obstinat Blasphe-
mer. [b]

(c) Act 18
Parl. 1. Sess.
1. Ch. 2.

All Mockers or Reproachers of Piety, or the Exercise thereof; are lyable in the Penalty of Prophan Swearing, hereafter mentioned. [c]

A G A I N S T Cursing and Swearing, and the not Delating, or neglect to Prosecute, the same.

Abominable Oaths, and detestable Execrations, particularly Swearing in vaine by GOD's Blood, Body, Passions, and Wounds; Saying Devil Stick, Gore, Rost, or Rieve, them; and such other Execrations; are Punished as in the Act

[d] Which

(d) Which is Ratified: The Penalties Augmented: And (d) Act 16
Consorts appointed in the *Adversat places* of Burrows, and Parl. 5.
 other publick *Fairs*, with power to put the Delinquents in *Q. M.*
ward till Payment, and Surety for abstaining in time coming:
 And that by Direction and Commission of the Judges Or-
 dinary. And that all *House-holders* Detest Transgressors
 within their Houses, under paine of being punished as *Of-*
fenders themselves. And if the saids *Magistrates* be remiss,
 they shall be called before the Council, Committed to
ward during pleasure, and find Surety for exact diligence
 thereafter. (e)

The Penalties of all manner of Curfing and Swearing are: (e) Act
 103: Parl:
 7. Jam. 6.
 each, Nobleman, 20. *libs*; Baron 20. *marks*; Gentleman,
Heretor, or *Burges*, 10. *marks*; Yeoman, 40. *sh.* Servant, 10.
sh; Minister, Fifth part of his Stipend: *Toties Quoties*. (f) (f) Act 19
 Parl. 1. Sol.
 1. Ch. 2.

AGAINST the Abuse of the Lords Day: And the several kinds thereof.

No *Markets* are to be held upon the Sabbath Day, nor
 yet within the Kirk or Kirk-yard *that*, or any other Day:
 Under pain of Escheating the Goods. No *Handy-labour* is
 to be used on it. And no *Gaming*, and *playing*; *passing* to
Taverns, or *Selling* of *meat* or *Drink*; or *wisful* remaining
 from the Parish Kirk in time of Sermon or Prayers: Under
Pains to be payed *presently* and *undelayedly* upon their *aprehen-*
son or *Conviction*: And in case of *inability* or *refusal*, to be
 Corporally punished: As in the Act. (g)

And whoever Sells, or *presents* and *offers* to be Sold,
 upon the said Day any Goods, by themselves or any other
 in their Name, and bees three several times Convict there-
 of: Their haill *Escheat* falls to His Majesties use, and their
 Persons are to be punished at His will with the Advice of
 His Council. (h)

All Acts for observing the Sabbath Ratified, and all (h) Act
 201: Parl.
 14 Jam. 6.
 going of *Sale Pans*, *Mists*, or *Kilas*, are Discharged under
 the pain of 20 *lib.* to be payed by the *Heretor* or Possessor;
 and 10 *lib.* for ilk *Shearer* hyred, and *Fisher* of *Salmond*,
 on the said Day; the one half to be payed by the *Conduc-*
ers, and the other by the Persons hyred: And for every
 other Prophanation of the said Day, particularly *keeping* of
Markets, using any sort of Merchandice, or carrying of
Loades

Leads; the Sum of 20 lbs. or in case of Inability to be
 (i) Act 18 punished in their Persons. (i)
 Parl. 1. Sel.

2. Ch. 1.

AGAINST Cursing, or Beating of Parents.

Whosoever, above the Age of Sixteen, not Distracted-
 Beats or Curses Father or Mother: Shall be put to Death:
 And such as are within that Age, and past Pupillarity, to
 be punished Arbitrarily. (k)

(k) Act 20

Parl. 1.

Ch. 2.

AGAINST Drunkards, and excessive Drinking: and the Taverners.

All Persons convict of Drunkenness: Or of haunting Ta-
 verns, after 10 Hours at Night, or any time of day except

* This is
 Specified-
 ly repeated
 Act 38.

Parl. 1.

Ch. 2.

in time of Travel or for ordinary Refreshments: * Shall
 for their several Faults pay the Gradual Penalties in the Act;
 and if unable or refusing, be kept in stocks or Prison as
 therein specified, particularly for the third Transgression,
 till they find Caution for their good behaviour. (l)

(l) Act 20

Parl. 22.

Jam. 6.

Which is Ratified, and whoever drinks into Excess (Es-
 pecially under the name of Healths) is lyable; each, Noble-
 man, in 20 pounds; Baron, in 20 Merks; Gentleman, Here-
 tor, or Burgeß, in 10 Merks; Yeoman, in 40 sh. Servant,
 in 20 sh. *totus quoties*; Minister in the fifth part of his

(m) Act

19. Parl. 1.

Ch. 2. and

Act 38 ib.

Stipend: And the Offender not able to pay, is to be Ex-
 emplarily punished in his Body. (m)

These Acts are to be Execute against keepers of Taverns
 or Alehouses, that shall sell drink to such. *

* The

same 38.

Act 1. Parl.

1. Ch. 2.

AGAINST Adultery, and Fornication.

Notour and Manifest Adultery (which is, when there is
 Bawns one or more Procreate, betwixt the parties; or when
 they keep company in bed together notoriously known; or
 when they are *suspect* of Adultery, duly Admonished by the
 Kirk to abstaine and satisfy by Repentance and Purgation
 yet refusing are Excommunicate for their Obstinacy) Is to

(n) Act 74

Parl. 9. Q.

M. and Act

105. Parl.

7. King Ja.

6.

be punished with all Rigour unto Death. And that for
 other Adultery: the Laws made thereupon of before are to
 be put to Execution with all Rigour. (n)

Whoever Commits Fornication, is to be punished, as well

the

the Man as the Woman; For their first, second, or third Faults, by the pecunial Pains; and Corporal punishments, in case of Inability or Refusal, mentioned in the Act. (o) And each, *Noble-man* is to pay for the first fault. 400 *lib.* *Baron* 200 *lib.* other *Gentle-man* and *Burges*, 100 *lib.* every other person of *inferior* quality 10 *lib.* and these penalties to be *Doubled* *Tisies* *quoties*, according to the relapses, degrees of offence, and quality of the offenders; and to be levied not only of the Man, but also of the Woman, according to her quality and degree of offence. (p)

(o) Act 13
Parl. 14th
6.

(p) Act
38 Parl.
Ch. 21

Anent Murdering of Children.

IF any Woman conceal her being with Child, during the whole space, and calls not for, and makes use, of Help in the Birth; The Child being found dead or amissing; the Mother shall be repute Murderer of her own Child, though there be no appearance of bruise, or wound upon its Body. (q)

(q) Act
21 Parl.
Sess. 2. 16
W. and
Q. Mary

As to the Execution of these and the like Laws.

1mo. Justices of Peace have power to Execute the Laws against, *Cursing and Swearing*, *Mockers or Reproachers of Piety*, *Fornicators*, *Drunkenness*, *Prophaners of the Lords Day*, &c. (r)

Yea, though by this last Act three Justices were necessary for making a Quorum; yet, thereafter, any One Justice, is empowered to Execute these Laws within the Parish where himself resides. (s)

(r) Act 18.
Parl. 1 Ch.
2.

2do. As every Counsellor, Lord of Session, Judge-Ordinary, in Burgh, or Landward, yea even Commissioners, have power to Execute these Laws, within their own Parishes; so (besides the Exercise of Church-Discipline) the Minister and Kirk-Session with the Heritors, (in such Parishes where none of the saids persons in Authority are resident) or Major Part of them who shall convene, upon publick intimation by the Minister upon Eight dayes warning; are appointed to nominate a Person resident within the Parish, whom they find most fit, for Executing the saids Statutes, and offer him to the Judge-Ordinary, who is authorized to give Deputation to him for that effect.

(s) Act 23
Parl. 17th

And the Minister and Kirk-Session with the Heretors, or such of them as shall meet as aforesaid, have the *nomination of a Collector*, who is to receive and count for the Fines: Excepting to *Royal Burrows* the Nomination of their Collectors, they always being accountable as other Collectors for the *uses* aforespecified, viz. with power to the *Minister Kirk Session and Heretors* convened in manner aforesaid, to *modify and appoint* such part of the Sums arising by the Decrets, to the *Collectors* nominate by them, for their services, as they shall think fit, according to their pains and diligence. (t) But further

(t) Act.
32. Parl.
1672.

310. As to *Informers*, and the application of a part of these Fines to them and other prosecutors.

(u) Act.
38. Parl. 1
Ch. 2. *Constables* are forced to accept, by Imprisonment, and Fines, at the discretion of the Justices of Peace. (u)

Householders are bound to delate those guilty of Cursing or Swearing within their Houses, under the pain of being punished as offenders themselves. See above.

* Act. 38.
Parl. 1.
Ch. 2. Yea any *Informer* and *Prosecutor* whatsoever is to have the fourth part of the Fines imposed by the Justices of Peace Courts, and the *Constable* or others employed in bringing the person accused to Justice, are to be satisfied out of the other fourth part. *

And further, The King and Parliament Empower and Ordain every *Presbytry* to appoint *One or more* within their Respective bounds to take notice of the aforesaid Vices and Immoralities, and to *delate and prosecute* the persons guilty thereof: *Allowing* to them out of the Fines, not only their whole *Charges and Expences* of the said prosecutions, but also such further *Rewards* as the Council shall think fit.

(x) Act.
40. Parl.
1693.

(x)

Yea the Minister or Kirk Session, or any person in their name, giving Information, and offering probation: The Judge refusing, neglecting, or delaying (as in the Act) to prosecute all delated, without exception of persons or Vacancy, is liable in 100 *lib. toties quoties*, for the poor of the Parish; to be pursued by the Agent of the Kirk, the Minister or any having warrant from him, without order of the Roll: And the Lybel will be intrusted by an Instrument, and the Witnesses intert. (y)

(y) Act.
41. Parl.
1694.

Lastly, any person whatsoever is authorized to pursue, and all

all to whom it *doth* or *may* belong, are strictly required and (2) Act
commanded, to perform *their duties punctually.* (2) 31. Parl.
1696.

4^{to}. The *General Assemblies* of this Church have done, whereof
their duty as to the Premises. For, they take notice of the account
fore said Acts, and *that* albeit Execution is ordained to pass given a-
at the instance of any person whatsoever, yet it being above, p.
especially incumbent upon *Ministers and Church Indicators* to and seq.
hold hand thereto: Therefore they seriously recommend
to Ministers and Members of Kirk-Sessions, from a true
zeal for God, to hold hand to the *delating, informing against,*
and *punishing* of all prophane Transgressors, without respect
of persons, by *Civil Punishments*, conform to the Acts of
Parliament made in that behalf: and that they record their
diligence in their *Session-Books*, that the same may be
seen by their Presbyteries, who are thereby required to
make enquiry therein at their *Visitations*: And lest any may
be found backward in performing their respective duties
from an unwillingness to displease, or disoblige Persons
of Note, who may happen to be guilty; The Assembly
earnestly exhorts all Ministers and Elders and *all Christians*,
to remember that in this matter they have to doe with the
great and terrible GOD, whose *Honour* is to be preferred, and
whose *Wrath* is to be feared, before all other Considerations
whatsomever. - - - - That whatever Minister or Member
of Session be found *Faulty* in their *Station* (as to this) shall See Act of
be complained of, and Censured by the Presbytry for the Assemb.
first Fault, and the Censure recorded: The Second negli- 1699. a-
gence delated to, and Censured by, the Synod: And that gainst pro-
for the third neglect, they be Censured by the Synod phaneis
with *Suspension*, to be Recorded in the Synod Register.

They recommend to each Minister or Kirk Session
who shall find Cause to complain of a Magistrate, for Ne-
gligence in executing the saids Laws, or for refusing
Deputation And Commission to such persons as are duly
elected and presented to them [from Parishes where
there is no Ordinary Magistrate residing) conform to
the Act of Parliament 1696. That they acquaint
their *Presbyteries* thereaneut; And that the said Presby-
tery having used a l previous means in dealing with the
Consciences of the saids *Magistrates*, without any good
Effect: do, with the *Kirk-Agents*, thereafter pursue the
said

§ Act 13 said Negligent or Refractory Magistrate, before the Assembly Lords of Council and Session, according to the forelaid 1788. n. 6. Acts of Parliament. (b)

§ Act 20 The Assembly recommends again to Kirk-Sessions and fl. 1700. Presbyteries, that they apply to the Magistrate for the Execution of the Good Laws made against Immorality and 1711. & 12. Prophaneness. [c]

Most cases either appoint, that this Commission, as oft as they shall see specifically determine. Cause, apply to the Government, or any Magistrate, for their d, or re- countenancing of and concurring with, the Judicatories mitted, of the Church, in what the Law allows; And for putting

among these determined here are some which are not well diverted d. the Law in Execution against Prophaneness &c. And this Commission is to give all due encouragement and Assistance, to any Proposals may be made to them anent endeavours for Reformation of Manners, and for the Effectual Curbing of Prophanity: And, that they apply, in a competent Manner, to the Government for that End. (d)

* Hence it's apparent how Carefully, Authority hath either determined the Particulars necessary for Extirpation of Vice: Or provided for ascertaining what further may be necessary, by remitting the doing thereof, where, no doubt, it will be disposed to Effect.

* In the first. There are some things which, tho obvious, are less heeded by those concerned. So, they may see their hazard; who (out of vanity, perverseness, or Irreligion) presume even to Argue against, or quarrel, the Blessed, GOD, Trinity, Scriptures, or Providence. Who, (from laziness, other Sham pretences, or Design,) do not go to Church on the Sabbath, or any otherwayes Prophane it, by Irregular, walking abroad, communing on Business, or the like; who pass to Taverns, or sell Meat and Drink to such, on that day; which was necessary for Restraint of the abuses committed upon pretext, or in consequence, of ordinary Refreshments in Taverns, whereas the Temptation is noways necessary, since both in Country and City all persons may be supplied either in their own Houses, or Quarters. [e] who, even in the the rest of the week irregularly haunt Taverns, or Drink to Excess: Which the cloak of doing Business can-

(e) By the common prints of Nature and Society, a Law, is just introducing a small private inconvenience at occasions, which, yet, is very tolerable, for a great, publick good, difficult to all times, as the keeping to the Exercises of the Sabbath certainly is,

is, both as a Religious Duty in it self, allowing time to improve the offices of the week, while the mind is called off from temporal diversions, and having a special blessing annexed.

not legitimate or cover. [f] who, being House-holders (Host- (f) As to
lers or others) Delate not those guilty of Oaths or Execrati- the parti-
ons, or such when they come to be observed by the Censors. culars
who, are Night-walkers, especially, in or about those places which are
that are suspect of Debauchery; with whom the Constables of this Law
and other Ministers of the Law, may take courle; * As its to be
Summar Apprehension is provided by several other Laws and considered
Customs &c. Who Mock at or Reproach, Sermons, the (g) that a Law
Preacher of them, others that do regularly Aft for eradi- abridge La-
cating the foresaid or the like Vices: Or any other Exercise berties
of Piety whatsoever. Who contemptuously disobey Church lawful in
Censures, as to any of these. (h) themselves;
when these

have appearance of, or are a Temptation to, Sin: Especially when its practicable to
expedite human Affairs in another place. time, or manner. Omne quod licet, non
expedit. * Act 38. Parl. i. Ch. 2. § Constables (g) Its a received Rule in
personal injuries, that the truth of what is asserted, and tho the thing be wrong,
does not indemnifie: Unless it be regularly proposed to a competent judge. Espe-
cially when the hands of Authority are weakned by the Scandal. For the being or
well-being of Society requires that these who act in Power be Honoured before the
People: and even against private persons, thou art not so much as to reserve an evil
Report; & veritas convictis non excusat injuriantem, nisi respublica interfit, & ha-
biti modo proponatur. (h) whom. justices of Peace are obliged, being required, to
cause Constables apprehend &c. Act 38. Pa 4. 1. Ch. 2.

There is great foresight, that there may not be wanting (i) For the
Judges or other helps, to overtake these Violations in every Minister
place. Since any Person in Authority has power, within his and Session
own Parish: particularly within Burgh, a Bailly may act may by
as such, or as Justice of Peace. Each Parish, may now have themselves
its own Judge, and Informers: And these last being (i) ap- require
proven by the Kirk-Session, and Presbytry, are intitled not (which
only to require any Magistrate, under the penalties which presuppos-
the Law inflicts, to put the same to Execution; But like- es previous
ways to have out of the Fines their whole Expences of inquiry) &
prosecution, and such further rewards, as are provided in the Presby-
that behalf. All Ministers and other Members of Session, try may
being under Censure if they omit to do their outmost in order to appoint
obtaining the Civil Laws to be made effectual: Which diffi- one or
culty will not excuse: It is manifest how great bonds ly upon all more;
that none traduce them for Diligence, or do obstruct either by which
word
leaves no
restraint
on the

number. And id facimus ens autoritatem nostram adhibemus.

Omission or Commission, so Glorious a work. And Finally the *General Laws* against the *Misversation* of Judges, and its Punishment by *deprivation &c.* will, no doubt, take place as *Cumulative* with lesser Penalties imposed on *Particular* Faults; when the abuse is repeated, and of such weight, as are Laws which appear so necessary to the Glory of *GOD*, and Interest of the *Nation*.

In the *second*. There being *delegated powers*, waiting what experience will discover to be wanting for *improving* the *Procedure* of the work [for there are materials enough already to *begin it*] they will, no doubt bring out the same

(k) For as the prospect of this will (being esteemed as nothing) make the Execution violent: so the Fines will by itself in the mean time (none knowing what can be drawn) and the trouble, and Expence, of such a number of Council-Acts, will counter-vail what can be had thereof.

into *Act*, how soon ever those who are obliged, and to whom its proper, shall apply, and enforce their proposals with Reason sufficient to move the obtaining thereof. Then, may readily, the smallest promoteal of this Noble work, be commended, in publick deeds, as *Honourable*; and a service to the Nation and Government. Then, may, Informers and Judges, come to be constrained, by Penalties, to accept; For as *munus publicum* could not be declined amongst the *Romans*: And every Community hath Intrinsic Power to do what is necessary to its being or well-being, [as this certainly is; it there should be a *General Refracting* so the extent of the *Remis* imports no less; and there are many *Precedents* in our Constitution where the like has been done: Especially when the thing enjoyned is confessedly *Lawful* in its self, and no pretence is left to the reluctant of being barred by *Oaths*. Then, the *Expences* of Court, and a liquide *Allowance* to Informers, out of the Fines; without discouraging necessity of applying in the case of every *Particular Parish*: [k] may fall to be settled under the *Administration of the Judge*: Which, as it will be an Additional *Respect*, *Strengthening*, and *Encouragement*, to him; so the *Superplus* Applicable to the *Poor*, will, then be more than they now get: The want of which Regulation has been one great Cause of the difference betwixt the Success of the Laws against *Immoralities*, and the *Penal Statutes*. Then, may *Societies* for *Reformation of Manners* come to get such footing; especially in the *Cities*, where meetings are more *Practicable*: That they will diffuse the happy Effects of their prudent *Diligence* not only there, but likewise throughout the adjacent Countries; the *Heretors* whereof can be of these Societies; and meeting with them when their occasions bring them to Town, they will be the more enabled by jointly digested *Measures*, to promote, at home, the Execution of the Laws made against *Immoralities*, with vigour.

APPENDIX,

For the Use of some who have not seen the several Prints, which give Account of the Societies for Reformation of Manners, in England and Ireland (One whereof many of the Nobility, Bishops, and Judges, do approve by their Subscriptions) and the Methods in which the Endeavours, even of Private Men in a private Manner, has already come to be so Effectual for Suppressing of Vice: Its thought fit to fill this Vacant Page with a General view of their most Material Resolutions and Practice, which Amounted to this.

Some account of the Societies in England & Ireland, for Reformation of Manners.

THAT, one or more, who, by having the opportunity, esteemed it their Duty; did induce others to meet together with them, at occasions, for mutual aid in promoting the Glory of GOD, the Good of others, and their own Edification; as far as they could in their several Stations: By Reasoning, Counsel, Example, Prayer, or Acting in their respective Spheres.

That, being met, their common Rules were:

That, they should Continue their meetings, at least once a week, on a stated hour: Beginning and ending with Prayer (for publick, and private Blessings, at Home and abroad) by a Minister if present; or otherways, one of the number alter another.

That, no matter of Church or State, no not common news, should be so much as mentioned: The subject of their Conversation being (after firme resolutions to begin at themselves, and their Families) only their own private endeavours to promote the amendment of the Morals of other particular Men as such; So far as might be legally competent to any Member of the Society; and when there should fall occasion for this, the clearing one another in the several heads of practical Divinity for invigorating, thereby, the Impressions of Religion in themselves; as to which the generality of Protestants do coincide.

That, to this end, it should be endeavoured, to induce Persons of all Qualities and Stations; whether by Birth; Publick Trust, Parts, or Influence, in City or Country; to be of the same or the like Society: they being allways sound in the Orthodox Protestant Faith, and of Christian Conversation in Manners; without inquiring into lesser differences.

That, for eviting incongruity, or partiality; the name of any Person should be first communicated to, and acquiesced in, by one, or two other Members. before he should be offered, as fit to be spoke to for being assumed, in the Society: and any Overture of matters to be considered there, should be proposed with the same Caution; with this addition, that another might give it in, then he who made it.

That,

That, these Overtures should all tend to such practice, for
 Down Immoralities by perswasion or jurisdiction, as one or other of
 Members might be *useful in*: either by himself in the Station which he
 held, in private or publick, City or Country: Or by others who might
 have advantages of being more *influential*, and with whom he had interest.
 Such as: The taking proper occasions to *divert*, by Counsel and Ex-
 ample, from Vice; and the giving information, immediately or mediately,
 to the publick Ministers of these Laws, whenever any of the Number had
 pertinent opportunity thereof. The getting notice in what places such
 Officers were not appointed (in place of the deceased, or other ways) who
 were the occasions thereof? Which of the Society, and in what Manner,
 they might most effectually obtain the obstruction to be removed? The
 getting intelligence, who (being such as might be very *serviceable*) re-
 fused these Offices? and prevailing with them to accept. The gaining the
ordina Magistrate, by those whom he respected, to exert his Powers;
 at the least by those having his warrants, within his own bounds. The
 obtaining due Information what inferior Judges were negligent or re-
 fractory in that which the Law required of them: and causing Prosecute
 the same, before the Competent Tribunals, with vigour. The
 procuring to be discussed, such stops of Execution for Fines as any of
 the Members should recommend on just grounds that, otherwise, in
 probability, Laziness, Trouble, or Expence, would occasion its neglect.
 The *Concursing* to make effectual the Legal Vices of *Males* in favour of
 Prosecutors: Which three last could be best Execute, by Communication
 to such Societies as were near the seat of the Sovereigne Courts. Yea even
 the proposing, by proper Agents, digested Overtures for correcting de-
 fects or abuses in this matter: which those, to whom it did appertain,
 might, in due time, come to amend by binding Acts &c.

That, one of the Society should keep a Summary of their proceedings;
 that of the last day, being a directory of the next; as to what remain-
 ed *pendent*; and another (called their Steward) should keep the *Volun-*
tary Contributions of the Members, with that to such others who should
 think a part of what they designed for pious uses well lodged where
 there might be more than Ordinary ground to Trust, that what were ne-
 cessary of it should be Faithfully expended to the Charitable purposes
 abovementioned; and the remainder laid out, with singular discretion,
 to destitute Families who do not seek, and, thereby, generally, are the
 greatest Objects of Compassion. &c.

But these Societies in England and Ireland, being very numerous, of
 diverse capacities and having their Chose; some of them, more pecu-
 liarly did (and still do) promote one, and some another, of the particu-
 lars abo ead-anced, and severals more of the like import: Yet such were
 (and still are) their Common aims; and where any of them has not the
 advantages of being able to overtake an emergency, the participation thereof
 of to others in better Circumstances brought (and still brings) the gener-
 al Design toward a Blessed Success: against all the Opposition that the En-
 emy of all Good, and his Emmissaries, in their several shapes, do invent to
 stifle it.

F I N I S

ADVERTISEMENT.

A brief Account, of the Nature, Rise, and Progress of the Societies
 for Reformation of Manners &c. in England and Ireland: with a Pre-
 face, Exhorting to the Use of such Societies in Scotland.

Printed by George Molloy, and are to be sold at his shop in St.

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